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# OPINIONS AND DECLARATIONS RENDERED BY THE INTER- NATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

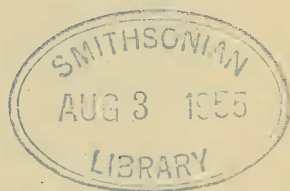
*Edited by*

**FRANCIS HEMMING, C.M.G., C.B.E.**  
Secretary to the Commission

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## **OPINION 350**

Validation, under the Plenary Powers, of the generic  
name *Dionide* Barrande, 1847 (Class Trilobita)



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# INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

## COMPOSITION AT THE TIME OF THE ADOPTION OF THE RULING GIVEN IN OPINION 350

### A. The Officers of the Commission

*Honorary Life President* : Dr. Karl Jordan (*British Museum (Natural History), Zoological Museum, Tring, Herts., England*)

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*President* : Professor James Chester Bradley (*Cornell University, Ithaca, N.Y., U.S.A.*) (12th August 1953)

*Vice-President* : Senhor Dr. Afranio do Amaral (*Sao Paulo, Brazil*) (12th August 1953)

*Secretary* : Mr. Francis Hemming (*London, England*) (27th July 1948)

### B. The Members of the Commission

(Arranged in order of precedence by reference to date of election or of most recent re-election, as prescribed by the International Congress of Zoology)

Professor H. BOSCHMA (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (1st January 1947)

Senor Dr. Angel CABRERA (*Eva Peron, F.C.N.G.R., Argentina*) (27th July 1948)

Mr. Francis HEMMING (*London, England*) (27th July 1948) (*Secretary*)

Dr. Joseph PEARSON (*Tasmanian Museum, Hobart, Tasmania, Australia*) (27th July 1948)

Dr. Henning LEMCHE (*Universitetets Zoologiske Museum, Copenhagen, Denmark*) (27th July 1948)

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Professor Pierre BONNET (*Université de Toulouse, France*) (9th June 1950)

Mr. Norman Denbigh RILEY (*British Museum (Natural History) London*) (9th June 1950)

Professor Tadeusz JACZEWSKI (*Institute of Zoology, Polish Academy of Sciences, Warsaw, Poland*) (15th June 1950)

Professor Robert MERTENS (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a.M., Germany*) (5th July 1950)

Professor Erich Martin HERING (*Zoologisches Museum der Humboldt-Universität zu Berlin, Germany*) (5th July 1950)

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Professor J. Chester BRADLEY (*Cornell University, Ithaca, N.Y., U.S.A.*) (12th August 1953) (*President*)

Professor Harold E. VOKES (*Johns Hopkins University, Baltimore, Maryland, U.S.A.*) (12th August 1953)

Professor Béla HANKÓ (*Mezőgazdasági Muzeum, Budapest, Hungary*) (12th August 1953)

Dr. Norman R. STOLL (*Rockefeller Institute for Medical Research, New York, N.Y., U.S.A.*) (12th August 1953)

Mr. P. C. SYLVESTER-BRADLEY (*Sheffield University, Sheffield, England*) (12th August 1953)

Dr. L. B. HOLTHUIS (*Rijksmuseum van Natuurlijke Historie, Leiden, The Netherlands*) (12th August 1953)

## OPINION 350

### VALIDATION UNDER THE PLENARY POWERS OF THE GENERIC NAME "DIONIDE" BARRANDE, 1847 (CLASS TRILOBITA)

**RULING :—**(1) Under the Plenary Powers the generic name *Polytomurus* Corda, 1847, is hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy.

(2) The under-mentioned generic name is hereby placed on the *Official List of Generic Names in Zoology* with the Name No. 871 : *Dionide* Barrande, 1847 (gender : feminine) (type species, by monotypy : *Dione formosa* Barrande, 1846).

(3) The under-mentioned generic names are hereby placed on the *Official Index of Rejected and Invalid Generic Names in Zoology* with the Name Nos. 266 and 267 respectively :—

(a) *Dione* Barrande, 1846 (a junior homonym of *Dione* Hübner, [1819]) ;

(b) *Polytomurus* Corda, 1847, as suppressed under the Plenary Powers under (1) above).

(4) The under-mentioned specific name is hereby placed on the *Official List of Specific Names in Zoology* with the Name No. 483 : *formosa* Barrande, 1846, as published in the combination *Dione formosa* (specific name of type species of *Dionide* Barrande, 1847).

## I.—THE STATEMENT OF THE CASE

On 7th September 1951, Dr. H. B. Whittington (*Museum of Comparative Zoology, Harvard University, Cambridge, Massachusetts, U.S.A.*) submitted the following application for the validation of the generic name *Dionide* Barrande, 1847 (Class Trilobita) by the suppression under the Plenary Powers of the generic name *Polytomurus* Corda, 1847 (a name which, when published, was attributed to Hawle & Corda) :—

**Proposal to suppress the generic name “*Polytomurus*” Hawle and Corda, 1847, and to place the generic name “*Dionide*” Barrande, 1847 (Class Trilobita) on the “Official List of Generic Names in Zoology”**

By H. B. WHITTINGTON, D.Sc.

(*Museum of Comparative Zoology, Harvard University, Cambridge, Massachusetts, U.S.A.*)

1. The generic name *Dionide* Barrande, 1847 (: 391) was proposed to replace *Dione* Barrande, 1846 (: 32), a junior homonym of *Dione* Hübner, [1819] (: 31). The type species, by monotypy, of *Dionide* Barrande is *Dione formosa* Barrande, 1846 (: 33).

2. The generic name *Polytomurus* Hawle and Corda, 1847 (: 152—153, or : 36—37) was also proposed by these authors as a replacement of *Dione* Barrande, 1846.

3. *Dionide* Barrande, 1847, and *Polytomurus* Hawle and Corda, 1847, are therefore objective synonyms. It would require knowledge of the exact date of publication of these two names to establish which is the senior name, and such knowledge does not seem to be obtainable :—

- (a) The *Neues Jahrbuch* for 1847 was issued in seven parts. Dr. R. Richter, Frankfurt-am-Main, Germany, has kindly made a search for a record of the dates of issue of these parts. No library in Germany has the covers of these parts with the dates preserved, no catalogue contains the information, and the publishers of the *Neues Jahrbuch*, E. Schwarzerbeit of Stuttgart, have no means of establishing the date. The seven parts begin with pages 1, 129, 257, 385, 513, 641, 769

respectively. They were issued at intervals of about two months, so that part IV, containing Barrande's article, was issued about 1st July 1847.

- (b) Hawle and Corda's work (1847) was issued in a serial publication and also distributed as a separate volume. I have not been able to find a volume of the serial publication bearing the date of issue of the part in question. The copy of Hawle and Corda's work in the Geological Survey and Museum, London, is marked as having been received on 19th August 1847. The work was reviewed in *Neues Jahrbuch* (1847 : 753—757), and this review, as paragraph 3(a) indicates, was published about 1st September 1847.

4. Barrande (1852 : 640—642) was the first author to deal with the two names, and, in describing more fully the genus *Dionide* and the type species, he placed *Polytomurus* Hawle and Corda, 1847, in the synonymy of *Dionide*. Authors since that date have followed Barrande, and I am not aware of any subsequent use of the name *Polytomurus* to replace *Dionide*. The family name DIONIDIDAE has been proposed and widely accepted.

5. In view of these facts, I ask that the International Commission on Zoological Nomenclature should :—

- (a) use its Plenary Powers to suppress the generic name *Polytomurus* Hawle and Corda, 1847, for the purposes of the Law of Priority but not for those of the Law of Homonymy ;
- (b) place the name *Dionide* Barrande, 1847 (gender of generic name : feminine) (type species, by monotypy : *Dione formosa* Barrande, 1846) on the *Official List of Generic Names in Zoology* :
- (c) place the under-mentioned generic names on the *Official Index of Rejected and Invalid Generic Names in Zoology* :—
  - (i) *Dione* Barrande, 1846 (junior homonym of *Dione* Hübner, [1819]) ;
  - (ii) *Polytomurus* Hawle and Corda, 1847, as proposed, under (a) above, to be suppressed under the Plenary Powers ;
- (d) place the trivial name *formosa* Barrande, 1846, as published in the binominal combination *Dione formosa*, on the *Official List of Specific Trivial Names in Zoology*.

6. A decision on the question dealt with in the present application is urgently required in connection with the preparation of the forthcoming *Treatise on Invertebrate Paleontology*, and it is particularly

hoped therefore that it will be possible for the International Commission on Zoological Nomenclature to settle this question as quickly as possible.

### References

- Barrande, J., 1846. *Notice Préliminaire sur le Système Silurien et les Trilobites de Bohême*. Leipzig : 1—97.
- , 1847. “Über das Hypostoma und Epistoma, zwei analoge, aber verschiedene Organe der Trilobiten”, *Neues Jahrb.* **1847** : 385—399, pl. VIII.
- , 1852. *Système Silurien du Centre de la Bohême*, vol. 1. Prague and Paris.
- Hawle, I., and Corda, A. J. C., 1847. “Prodrom einer Monographie der böhmischen Trilobiten”, *Abk. k. böhm. Gesell. d. Wiss.* (5), **5** (1847) (dated 1848) : 119—292, pls. I—VII ; issued separately, : 3—176, pls. I—VII, are identical.
- Hübner, J., 1816—25. *Verzeichniss bekannter Schmettlinge* [sic]. Augsburg.

## II.—THE SUBSEQUENT HISTORY OF THE CASE

**2. Registration of the present application :** On the receipt of Dr. Whittington's application, the question of the use of the Plenary Powers for the purpose of suppressing the name *Polytomurus* Corda, 1847, and thus validating the name *Dionide* Barrande, 1847, was allotted the Registered Number Z.N.(S.) 605.

**3. Publication of the present application :** The present application was sent to the printer on 30th January 1952 and was published



on 15th April 1952 in Part 5 of volume 6 of the *Bulletin of Zoological Nomenclature* (Whittington, 1952, *Bull. zool. Nomencl.* 6 : 157—158).

**4. Issue of Public Notices :** Under the revised procedure prescribed by the Thirteenth International Congress of Zoology, Paris, 1948 (1950, *Bull. zool. Nomencl.* 4 : 51—56) Public Notice of the possible use by the International Commission on Zoological Nomenclature of its Plenary Powers in the present case was given on 15th April 1952 (a) in Part 5 of volume 6 of the *Bulletin of Zoological Nomenclature* (the Part in which Dr. Whittington's application was published) and (b) to the other prescribed serial publications. In addition, Public Notice was given to certain other general zoological serial publications and to paleontological serials in Europe and America. The issue of these Notices elicited no objection to the action proposed.

**5. Question of the authorship to be attributed to the paper entitled “*Prodrom einer Monographie der böhmischen Trilobiten*” published in 1847 and then attributed to Hawle & Corda :** On 4th September 1952, Professor Dr. Rudolf Richter (*Natur-Museum u. Forschungs-Institut Senckenberg, Frankfurt a.M., Germany*) communicated the following statement to the Commission recalling that the paper entitled *Prodrom einer Monographie der böhmischen Trilobiten* published in 1847 (*Abh. k. böhm. Ges. Wiss.* (5) 1847 : 152—153) over the names of Hawle & Corda had been vigorously repudiated by Hawle and that new names in this paper were properly attributable to Corda alone :—

Die Vorschläge sind gut begründet und zweckmassig. Ihre Annahme wird einen Fortschritt im Sinne der Stabilität der Nomenklatur bedeuten.

Jedoch ist von *grundsätzlicher Bedeutung*, als Autor von *Polytomurus* nicht “Hawle & Corda” anzugeben, sondern lediglich “Corda 1847”.

Andernfalls würde ein so verdienter Forscher wie J. Barrande zum Lügner gestempelt werden und es würde grundsätzlich die Mystifikation in der Nomenklatur sanktioniert werden.

*Begründung* : Corda hat neben seinem Namen unberechtigt den Namen Hawle als einen Mit-Autor auf den Titel seines "Prodrom einer Monographie der böhmischen Trilobiten", Prag 1847, hinzugefügt.

Gegen diesen Missbrauch seines Namens hat Hawle protestiert. Kein Geringerer als J. Barrande, der Augenzeuge aller Vorgänge im damaligen wissenschaftlichen Leben von Prag war, hat in seinem "Système silurien" ; 1 : 37 (Prag & Paris, 1852), den Protest von Hawle veröffentlicht und sich zum Bürgen für die Wahrheit gemacht :

" Mr. Hawle . . . repousse donc toute responsabilité relative aux assertions contenues le Prodrôme, sous tous les rapports, soit historiques, soit géologiques, soit paléontologiques. Ainsi, cette responsabilité retombe toute entière sur Mr. Corda, qui a seul conçu et rédigé l'ouvrage en question. Quels que soient les termes dans lesquels sa coopération a été indiqué dans le Prodrôme, Mr. Hawle désire qu'on les interprète dans ce seul sens, le seul véritable : qu'il a prêté sa collection". (Vgl. *Senckenbergiana* 29 : 107, 1948.)

Wollte man diesen Protest ignorieren, so würde man ausser Hawle auch Barrande zum *Lügner* stempeln. Ohne Beweis darf man das nicht tun. Selbst wenn Barrande eine Lüge hätte veröffentlichen wollen, so würde dem der Corda'sche Kreis mit Widerspruch entgegengetreten sein.

Der Fall hat eine *allgemeinere Bedeutung* für die Nomenklatur und für die wissenschaftliche Autorschaft überhaupt : Wollte man einem Vater, der (noch dazu unter der Bürgschaft einer Welt-Autorität) gegen die Unterschlebung eines fremden Kindes protestiert, zur Hinnahme zwingen, so wäre niemand mehr vor einer Suppositio puerorum sicher. Es gäbe *keinen Schutz vor Mystifikation*, wenn man seinen Namen als Autor auf einer fremden Veröffentlichung finden würde.

Darum würde es unerwünschte Folgen haben, wenn man einen anderen als einzig und allein Corda als den Autor des "Prodrom" von 1847 gelten lassen wollte.

**6. Decision as to the authorship to be attributed to the generic name "Polytomurus" as published in 1847 :** The information regarding the authorship of the generic name *Polytomurus*, as published in 1847, furnished by Professor Rudolf Richter in his



letter of 4th September 1952, was reviewed on 5th March 1954 by Mr. Hemming, as Secretary, who placed a Minute on the Commission's File Z.N.(S.) 605, directing that in the *Opinion* to be rendered in the present case the name *Polytomurus* should, for the reasons advanced by Professor Richter be attributed not to Hawle & Corda but to Corda alone.

### III.—THE DECISION OF THE INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

**7. Issue of Voting Paper V.P.(54)18 :** On 6th March 1954, a Voting Paper (V.P.(54)18) was issued in which the Members of the Commission were invited to vote either for, or against, the proposal "relating to the name *Dionide* Barrande, 1847, as set out in paragraph 5 on page 158 of volume 6 of the *Bulletin of Zoological Nomenclature* [i.e. in paragraph 5 of the application reproduced in the first paragraph of the present *Opinion*].

**8. The Prescribed Voting Period :** As the foregoing Voting Paper was issued under the Three-Month Rule, the Prescribed Voting Period closed on 6th June 1954.

**9. Particulars of the Voting on Voting Paper V.P.(54)18 :** The state of the voting on Voting Paper V.P.(54)18 at the close of the Prescribed Voting Period was as follows :—

(a) *Affirmative Votes had been given by the following nineteen (19) Commissioners (arranged in the order in which Votes were received) :*

Holthuis ; Hering ; Riley ; Lemche ; Vokes ; do Amaral ; Sylvester-Bradley ; Esaki ; Dymond ; Bonnet ; Boschma ; Hankó ; Mertens ; Jaczewski ; Hemming ; Pearson ; Bradley (J.C.) ; Stoll ; Cabrera ;

(b) *Negative Votes* :

None ;

(c) *Voting Papers not returned* :

None.

**10. Declaration of Result of Vote :** On 6th June 1954, Mr. Hemming, Secretary to the International Commission, acting as Returning Officer for the Vote taken on Voting Paper V.P.(54)18, signed a Certificate that the Votes cast were as set out in paragraph 9 above and declaring that the proposal submitted in the foregoing Voting Paper had been duly adopted and that the decision so taken was the decision of the International Commission in the matter aforesaid.

**11. Preparation of the Ruling given in the present " Opinion " :** On 30th November 1954, Mr. Hemming prepared the Ruling given in the present *Opinion* and at the same time signed a Certificate that the terms of that Ruling were in complete accord with those of the proposal approved by the International Commission in its Vote on Voting Paper V.P.(54)18.

**12. Original References:** The original references for the names placed on *Official Lists* and *Official Indexes* by the Ruling given in the present *Opinion* :—

*Dione* Barrande, 1846, *Notice prélim. Syst. silur. Trilobites Bohême* : 33

*Dionide* Barrande, 1847, *N. Jahrb. f. Min.* **1847** : 391  
*formosa*, *Dionide*, Barrande, 1847, *Notice prélim. Syst. silur. Trilobites Bohême* : 33

*Polytomurus* Corda, 1847, *Abh. k. böhm. Ges. Wiss.* (5) **1847** : 152—153. (This name is commonly cited as having been

published in "*Prodr. Monog. böhm. Trilobites* : 36—37, but this is incorrect, this being a reference to the re-paged separate of Corda's paper. This paper, when published, was attributed to Hawle & Corda, but Hawle repudiated any responsibility for it, and in the Ruling given in the present *Opinion* this name is attributed to Corda alone.)

13. The application dealt with in the present *Opinion* was published in the *Bulletin of Zoological Nomenclature* prior to the establishment of the *Official List of Family-Group Names in Zoology* by the Fourteenth International Congress of Zoology, Copenhagen, 1953. It has not been possible since then to deal with this aspect of the present case. This question is, however, now being examined on a separate File to which the Registered Number Z.N.(G.) 122 has been allotted.

14. At the time of the submission of the application dealt with in the present *Opinion*, the expression prescribed for the second portion of the binomen which constitutes the scientific name of a species was the expression "trivial name" and the *Official List* reserved for recording such names was styled the *Official List of Specific Trivial Names in Zoology*, the word "trivial" appearing also in the title of the *Official Index* reserved for recording rejected and invalid names of this category. Under a decision taken by the Fourteenth International Congress of Zoology, Copenhagen, 1953, the expression "specific name" was substituted for the expression "trivial name" and corresponding changes were made in the titles of the *Official List* and *Official Index* of such names (1953, *Copenhagen Decisions zool. Nomencl.* : 21). The changes in terminology so adopted have been incorporated in the Ruling given in the present *Opinion*.

15. The prescribed procedures were duly complied with by the International Commission on Zoological Nomenclature in dealing with the present case, and the present *Opinion* is accordingly hereby rendered in the name of the said International Commission by the under-signed Francis Hemming, Secretary to the

International Commission on Zoological Nomenclature, in virtue of all and every the powers conferred upon him in that behalf.

16. The present *Opinion* shall be known as *Opinion* Three Hundred and Fifty (350) of the International Commission on Zoological Nomenclature.

DONE in London, this Thirtieth day of November, Nineteen Hundred and Fifty-Four.

*Secretary to the International Commission  
on Zoological Nomenclature*

**FRANCIS HEMMING**